

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY)
AVERAGE WHOLESALE PRICE)
LITIGATION)
THIS DOCUMENT RELATES TO:)
State of Connecticut v. GlaxoSmithKline))
PLC, et al., Civ. Action No. 1:03-cv-)
11348-PBS)
State of Connecticut v. Pharmacia Corp.))
Civ. Action No. 1:03-cv-113490-PBS)
State of Connecticut v. Dey, Inc.,) MDL NO. 1456
Civ. Action No. 1:03-cv-11351-PBS)
State of Connecticut v. Aventis) CIVIL ACTION NO.
Pharmaceuticals, Inc., Civil Action)
No. 1:03-cv-11350-PBS) 01-12257-PBS
People of the State of New York v.)
Pharmacia Corp., Civ. Action No.)
1:03-cv-11227-PBS)
People of the State of New York v.)
Aventis Pharmaceuticals, Inc.,)
Civ. Action No. 1:03-cv-11228-PBS)
People of the State of New York v.)
GlaxoSmithKline PLC, Civ. Action)
No. 03-cv-299)
)

ORDER OF REMAND

September 30, 2003

Saris, U.S.D.J.

The Court **DENIES** defendants' motion for certification of an interlocutory appeal pursuant to 28 U.S.C. § 1292(b) (Docket No. 497). See State of Montana v. Abbott Labs, 266 F.Supp.2d 250,

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256 (D. Mass. June 11, 2003); State of Minnesota v. Pharmacia Corp., Civ. Action No. 03-10069-PBS, slip op. at 4-5 (D. Mass. Aug. 20, 2003). An interlocutory appeal will delay the litigation and my opinions are consistent with the weight of the caselaw. The Court **ALLOWS** the states' motions to remand.



PATTI B. SARIS

United States District Judge